

395 Franklin Street
P.O. Box 1649
Bloomfield, NJ 07003
(973) 680-8949
Fax # (973) 748-3015



VINCENT C. SCOCA, ESQ.

Attorney at Law

August 30, 2018

Via ECF

Honorable Esther Salas, USDJ
Martin Luther King Building
& U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: USA v. Scott Spina, Jr.
Docket No.: 18-00188-001
PACTS No.: 4725093

Dear Judge Salas,

I am writing to request a 30 day extension of Mr. Spina's surrender date which is scheduled for September 6th, 2018. I'm making this request in response to a the United States Bureau of Prisons email (attached), wherein it is recommended that a stay of surrender be requested while the BOP examines Mr. Spina's classification status. The BOP classified Mr. Spina on the basis of the information contained in the PSR. At the time of the sentence, Mr. Spina had 4 open cases, which the BOP classified as detainers. Additionally, one of the prior offenses in the PSR was listed a a Disorderly Conduct Offense when in fact it is an ordinance violation. Under their point system this elevated Mr. Spina's risk score and he was assigned to a medium security facility at Schuylkill FCI in Pennsylvania.

I have since followed the procedure outlined in the letter from the BOP by submitting disposition information regarding all of the then pending matters. They have all been resolved. He entered a guilty plea in New York and is pending sentence. Therefore, the BOP will recalculate Mr. Spina's classification based upon the new information I provided. I sent the information to David Sternberg of US Probation via email. I also sent the information to AUSA Andrew Kogan and I asked for his consent to this application. Mr. Kogan has no objection to the 30 day extension and will rely upon the discretion of the Court.

I am hopeful that the BOP can resolve this matter within the 30 days.
Thank you for your consideration in this matter.

Respectfully submitted,


Vincent Scoca

VCS/rl
Enclosure

Cc: Andrew Kogan, AUSA
David Sternberg, US Probation Officer